




<sup>F</sup> APPLICATION GRANTED  
SO ORDERED   
VERNON S. BRODERICK  
U.S.D.J. 2/17/2017

**BY E-MAIL**

Hon. Vernon S. Broderick  
United States District Court for the  
Southern District of New York  
Thurgood Marshall United States Courthouse  
40 Foley Square  
New York, NY 10007

**Re: U.S. Commodity Futures Trading Commission ("CFTC") v.  
Byrnes, et al., 1:13-cv-01174 (VSB)**

Dear Judge Broderick:

We represent Defendant, William Byrnes, in this action. Pursuant to the Court's December 22, 2016 Order, we have conferred with counsel for Defendant New York Mercantile Exchange, Inc. ("NYMEX") regarding the transcripts attached as Ex. C. to the Allgor Declaration in Support of Byrne's Motion for Summary Judgment. As per the Court's instructions, we asked the NYMEX to identify those portions of the transcripts which should be kept confidential pursuant to the Stipulation and Agreed Protective Order entered in this case on April 30, 2014.

The NYMEX has identified those portions of the transcript which it deems confidential and the proposed redactions are highlighted in orange in the attached document. Please note that the yellow highlighting in the transcript was done by the CFTC at the time the transcripts were produced as part of the CFTC's Supplemental Answer and Objections to Defendant New York Mercantile Exchange, Inc.'s Interrogatories. We are not proposing redaction of the yellow highlighting.

Defendant Byrnes hereby seeks leave to file a redacted version of the transcripts on ECF and an unredacted version under seal.

Respectfully submitted,



Joseph P. Allgor

cc: (by E-mail)  
Counsel of Record